



13281 U.S.PTO
031104

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22856 U.S.PTO
10/797037
031104

Date: March 11, 2004

Docket No.: 0171-1068P

MS PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/941,742 filed on August 30,
2001, the entire contents of which are hereby incorporated by
reference,
by

Yasuaki NOZAWA, Kiyoshi SHIRASUNA, Masanori AKIYAMA and Takayuki
MATSUZAWA

for

METHOD AND APPARATUS FOR PRODUCING HYDROPHOBIC SILICA FINE POWDER

1. Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).



2. The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY		
BASIC FEE		\$770.00		\$385.00		
	NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	
TOTAL CLAIMS	1-20 =	0	x 18 =	\$0.00	x 9 =	\$0.00
INDEPENDENT CLAIMS	1-3 =	0	x 86 =	\$0.00	x 43 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00		+ \$145.00	
		TOTAL	\$770.00		\$0.00	

3. A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Enclosed is/are _____ (_____) sheet(s) of formal drawings and/or photographs.

6a. A statement claiming small entity status was filed in prior Application No. 09/941,742 on _____. See the attached copy of the statement claiming small entity status.

6b. The current application qualifies for small entity status.

7. The prior application is assigned to Shin-Etsu Chemical Co., Ltd.

8. A Preliminary Amendment is enclosed.

9a. Priority of Application No(s). 2000-262219 filed in JAPAN on August 31, 2000 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on August 30, 2001.

9b. Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or

Customer No. 02292

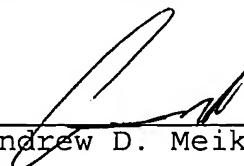
12. An extension of time for _____ month(s) until _____ has been submitted in parent Application No. 09/941,742 in order to establish co-pendency with the present application.

13. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Andrew D. Meikle, #32,868

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ADM/KLR/jmb
0171-1068P

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Attachment(s)

(Rev. 02/13/2004)